

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585 - 1800

W 12b

October 26, 2006

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director

RE: CITY OF PORT HUENEME LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 2-2006, EXECUTIVE DIRECTOR'S DETERMINATION THAT THE CITY'S ACKNOWLEDGMENT IS LEGALLY ADEQUATE. (For Commission review at its meeting of November 15, 2006.)

STAFF RECOMMENDATION

Staff recommends that the Commission CONCUR with the Executive Director's determination that the City's action is legally adequate.

BACKGROUND

On August 9, 2006 the Commission approved LCP Major Amendment No. 2-2006 (Laing Homes) as submitted by the City of Port Hueneme. This amendment modified the Land Use Plan, Implementation Plan and Map portions of the City's certified Local Coastal Program from Industrial to Low and Medium Residential development on certain properties consisting of about 17 acres in size located southeast of Hueneme Road and Surfside Drive.

On September 20, 2006, the City of Port Hueneme acknowledged receipt of the Commission resolution of certification for LCP Amendment No. 2-2006 and transmitted the acknowledgment to the Commission on September 22, 2006. In its acknowledgment the City of Port Hueneme agreed to and accepted the Commission's action and agreed to issue Coastal Development Permits in conformance with the Commission's resolution.

Pursuant to Sections 13551(b) and 13544 of the Commission's Administrative Regulations, the Executive Director must determine if the action of the City of Port Hueneme is legally sufficient and report that determination to the Commission. The certification shall become effective unless a majority of the Commission objects to the determination.

CONCLUSION

I have reviewed the City's acknowledgment adopted September 20, 2006 regarding LCP Amendment No. 2-2006 and find that it fulfills the conditions of the Commission's action to certify Amendment No. 2-2006, and that the City's action and notification procedures for appealable development legally satisfy the Commission's certification resolution adopted August 9, 2006. I therefore recommend that the Commission concur in this determination.

Phlcpa 2 2006 ed determination report

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

RESOLUTION NO. 3498

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT HUENEME
ACKNOWLEDGING THE CALIFORNIA COASTAL COMMISSION'S
AUGUST 9, 2006 CERTIFICATION/APPROVAL OF THE CITY'S LOCAL
COASTAL PROGRAM AMENDMENT NO. 2-2006 AND ACCEPTING THE
TERMS AND CONDITIONS THERETO PURSUANT TO SECTION 13544.5 OF
THE CALIFORNIA CODE OF REGULATIONS
(Port Hueneme Case Number PHBC-790 and PHBC-793)

WHEREAS, on May 5, 2006, the City of Port Hueneme submitted Local Coastal Program ("LCP") Amendment 2-2006 to the South Central Coast Area Office of the Coastal Commission involving amendment to the City's General Plan Land Use Map, Zoning Map, and General Plan and LCP land use text to reflect a change on an approximate 17-acre site located southeast of the intersection of Hueneme Road and Surfside Drive ("Amendment Area"); and

WHEREAS, on May 18, 2006, the Executive Director determined that the City's LCP Amendment submittal was in proper order and legally adequate to comply with the submittal requirements of Coastal Act Section 30510(b); and

WHEREAS, on August 9, 2006 the Coastal Commission, by a vote of 7 – 2, approved the City's LCP Amendment No. 2-2006, as submitted.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Port Hueneme does hereby acknowledge receipt of the Coastal Commission's resolution of certification by letter dated September 5, 2006.

BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme does hereby accept and agree to the Coastal Commission's "as submitted" resolution of certification/approval of the City's LCP Amendment No. 2-2006 attached hereto and agrees to take whatever formal action is required to satisfy the terms therefore (e.g. implementation of ordinances).

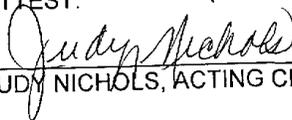
BE IT FURTHER RESOLVED that the City Council of the City of Port Hueneme does hereby agree to issue Development Permits for the total area included in its certified LCP.

BE IT FINALLY RESOLVED that the City Manager or his/her designee is hereby authorized to execute any and all necessary documents, notices, and related actions with the Commission to implement the LCP Amendment that is acknowledged and accepted herein.

PASSED AND ADOPTED this 20th day of September 2006.


ANTHONY C. VOLANTE, MAYOR

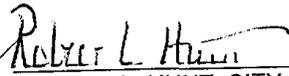
ATTEST:


JUDY NICHOLS, ACTING CITY CLERK

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


MARK D. HENSLEY, CITY ATTORNEY


ROBERT L. HUNT, CITY MANAGER

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS:
CITY OF PORT HUENEME)

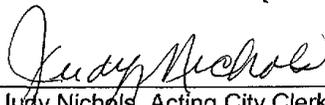
I, KAREN B. JACKSON, duly appointed and qualified City Clerk of the City of Port Hueneme, do hereby certify that the foregoing Resolution No. 3498 true and correct copy passed and approved at the Adjourned Regular Council Meeting of September 20, 2006 by the City Council of the City of Port Hueneme by the following roll call vote:

AYES: Council Members Rosenbluth, Sharkey, Young,
Mayor Pro Tem Morales, Mayor Volante

NOES: None

ABSTAINING: None

ABSENT: None



Judy Nichols, Acting City Clerk of
Port Hueneme and ex-officio Clerk of
the Council

DATED: September 21, 2006